

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DONNA LANGAN, TERESA DE §
BARBARAC, and ALEXANDRA CARSON, §
Plaintiffs, §
§
v. §
§
GREG ABBOTT, in his Official Capacity as §
Governor of Texas; and KEN PAXTON, in his §
Official Capacity as Attorney General of Texas §
Defendants. §

CASE NO. 1:20-cv-275-RP

**UNOPPOSED MOTION TO STAY PRETRIAL PROCEEDINGS
PENDING RULING ON MOTION TO DISMISS**

Plaintiffs filed this suit on March 16, 2020, challenging the constitutionality of Texas's name-change statute, codified in Chapter 45 of the Family Code, on Eighth Amendment grounds. On May 15, 2020, Defendants filed their Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1). (Dkt. 5). On April 17, 2020, the Court issued an Amended Emergency Order in Light of the COVID-19 Pandemic requiring parties to file an agreed proposed scheduling order by June 1, 2020, for early-stage cases in which no proposed scheduling order had been filed. (Dkt. 4).

In the interest of judicial economy, Defendants request that all deadlines in this case, including the filing of an agreed scheduling order, be stayed pending resolution of the threshold issues presented by their Motion to Dismiss. Accordingly, Defendants respectfully request that the Court continue the deadline for the parties to file their proposed scheduling order until 24 days after the Court has issued its order on the pending Motion to Dismiss, to save the parties and the Court any unnecessary time, burden, or expense.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

RYAN L. BANGERT
Deputy First Assistant Attorney General

DARREN L. MCCARTY
Deputy Attorney General for Civil Litigation

THOMAS A. ALBRIGHT
Chief, General Litigation Division

/s. Kimberly Gdula _____

KIMBERLY GDULA
Texas Bar No. 24052209
Assistant Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 463-2120 | FAX: (512) 320-0667
Kimberly.Gdula@oag.texas.gov

**ATTORNEYS FOR DEFENDANTS
GOVERNOR GREG ABBOTT AND
KEN PAXTON, ATTORNEY GENERAL OF TEXAS**

CERTIFICATE OF CONFERENCE

I hereby certify that on May 28, 2020, I conferred with Brian McGiverin, counsel for Plaintiff, via email regarding the substance of the foregoing instrument. He stated that Plaintiffs are not opposed to the relief requested herein.

/s/ Kimberly Gdula

KIMBERLY GDULA

Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2020, I electronically filed the foregoing instrument with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

/s/ Kimberly Gdula

KIMBERLY GDULA

Assistant Attorney General